

EXHIBIT A



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55-CV-2021-900014.00
CIRCUIT COURT OF
PIKE COUNTY, ALABAMA
JAMIE NEELEY SCARBROUGH, CLERK

IN THE CIRCUIT COURT FOR PIKE COUNTY, ALABAMA

ELLEN DORSEY,

Plaintiff,

v.

DOLGENCORP, LLC dba DOLLAR
GENERAL and Fictitious Defendants
“A,” “B,” and “C,” whether singular or
plural, those other persons,
corporations, firms or other entities
whose wrongful conduct caused or
contributed to cause the injuries and
damages to Plaintiff, all of whose true
and correct names are unknown to
Plaintiff at this time, but will be added
by amendment when ascertained,

Defendant.

Case No.: CV - 2021 - _____

COMPLAINT

This is an action by Plaintiff, Ellen dorsey, (herein after referred to as “Plaintiff”) against Defendant, Dolgencorp, LLC dba Dollar General, (herein after referred to as “Defendant”) for personal injuries and damages sustained by the Plaintiff as the result of a defective condition on or about March 19, 2020.

PARTIES, JURISDICTION, VENUE

1. The Plaintiff was a resident and citizen of Pike County, Alabama at all times material to the issues in this case.
2. Defendant is a foreign corporation headquartered in Goodlettsville, Tennessee and registered to do business in Alabama and doing business in Pike County at all times material to the issues in

this case. Defendant may be served through its registered agent, Corporation Service Company INC, at 641 South Lawrence Street, Montgomery, AL 36104.

3. Fictitious Defendants "A", "B" and "C" are other persons and/or entities whose wrongful conduct may have caused and/or contributed to the incident that forms the basis of this Complaint but are unknown to Plaintiff at this time.

4. The incident giving rise to this complaint occurred in Pike County, Alabama.

5. Venue in Pike County, Alabama is proper.

APPLICABLE FACTS

6. On or about March 19, 2020, Plaintiff was at the Defendant's location at 7550 Elba Hwy in Troy, Pike County, Alabama.

7. At said time and place, while Plaintiff was an invitee was upon the said premises of the Defendant, Plaintiff tripped over a folded rug at the entrance, causing the Plaintiff to fall.

8. As a result of the fall, Plaintiff suffered serious injuries.

COUNT ONE - NEGLIGENCE

9. Plaintiff re-alleges and incorporates the preceding paragraphs herein as if they were fully and completely set forth herein.

10. At said time and place, Defendant maintained a dangerous condition with actual or constructive knowledge that Defendant's floor/entrance was dangerously maintained and Defendant allowed said condition to be present without warning to the Plaintiff of the presence danger.

11. In causing said known dangerous condition to persist on that certain premises described hereinabove, Defendant:

(a). Negligently failed to exercise ordinary care.

- (b). Negligently failed to cure a known danger.
- (c). Negligently failed to warn Plaintiff of said known danger.
- (d). Otherwise acted in negligent disregard of the rights and safety of the Plaintiff and other business invitees.

12. The Plaintiff avers that the acts and conduct of the Defendant constitutes common law negligence.

13. As the proximate consequence of said negligence, Plaintiff was caused to suffer personal injuries, pain, suffering and other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant for all damages, court costs and attorney's fees to which Plaintiff is entitled and for all compensatory damages that it will take to make the Plaintiff fully whole; furthermore, Plaintiff demands any further damages in such an amount as this Court may determine.

COUNT TWO - WANTONNESS

14. Plaintiff re-alleges and incorporates the preceding paragraphs herein as if they were fully and completely set forth herein.

15. At said time and place, Defendant acted in such a wanton manner in creating and maintaining a known dangerous condition and failing to cure or warn Plaintiff of said dangerous condition, so as to

- (a). cause injury to Plaintiff due to the dangerous condition, and
- (b). cause Plaintiff to undergo doctors appointments and physical therapy appointments, and
- (c). cause the Plaintiff to suffer and sustain the injuries and damages.

16. In causing said known dangerous condition to persist on that certain premises described hereinabove, Defendant:

- (a). Wantonly failed to exercise ordinary care.
- (b). Wantonly failed to cure a known defect.
- (c). Wantonly failed to warn Plaintiff of said known defect.
- (d). Otherwise acted in wanton disregard of the rights and safety of the Plaintiff and others.

17. The Plaintiff avers that the acts and conduct of the Defendant constitute wantonness.

18. As the proximate consequence of said negligence, Plaintiff was caused to suffer personal injuries, pain, suffering and other damages.

WHEREFORE, Plaintiff demands judgment against the Defendant for all damages, court costs and attorney's fees to which Plaintiff is entitled and for all compensatory damages that it will take to make the Plaintiff fully whole; furthermore, Plaintiff demands any further damages in such an amount as this Court may determine.

COUNT THREE – FICTITIOUS DEFENDANTS

19. Plaintiff re-alleges and incorporates the preceding paragraphs herein as if they were fully and completely set forth herein.

20. Fictitious Defendant "A", "B", and "C", whether singular or plural, are those other persons, firms, corporations, or other entities whose negligent, wanton, reckless and wrongful conduct contributed to the injuries sustained by the Plaintiff, said Fictitious Defendant names are unknown to Plaintiff at this time, but will be promptly substituted by amendment when ascertained.

WHEREFORE, Plaintiff demands judgment against Fictitious Defendants "A", "B", and "C", both jointly and severally, for all compensatory damages, court costs and attorney's fees to which Plaintiff is entitled. Furthermore, Plaintiff demands punitive damages in such an amount as this Court may determine.

JURY DEMANDED AS TO ALL COUNTS OF THE COMPLAINT

This February 6, 2021.

Respectfully submitted,

/s/ Jonathan Bedwell

JONATHAN BEDWELL (BED017)
ATTORNEY FOR THE PLAINTIFF

**OF COUNSEL:
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REQUEST FOR SERVICE OF PROCESS

The Plaintiff hereby requests that the Summons and Complaint in this case be served on the following Defendant by Certified Mail at their respective mailing address as follows:

Dolgencorp, LLC dba Dollar General
C/O Corporation Service Company INC,
641 South Lawrence Street
Montgomery, AL 36104

/s/ Jonathan Bedwell
JONATHAN BEDWELL (BED017)
OF COUNSEL

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